



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective
Title	10	Human Services	Date:
Chapter	129	Child Protection Investigations	12/13/2011
Subchapter:	5	Specialized Assessment And Investigation	
Section	2	Department recommendations to prosecutors (N.J.A.C. 10:129-5.2)	

§10:129-5.2 Department recommendations to prosecutors

(a) When referring a case to the prosecutor, the caseworker may already have information sufficient to arrive at a preliminary conclusion concerning the need for investigation by a law enforcement agency. This conclusion will be based on the standards in this policy. A recommendation and underlying reasons therefor will be communicated to the prosecutor at the time the case is referred.

(b) Recognizing that the caseworker may have already conducted a preliminary investigation of the case, that the caseworker has some experience and expertise enabling him or her to assess the need for action by the prosecutor, that in some cases efforts already made to ameliorate the underlying problems may be undermined by the initiation of a police investigation and that the caseworker is also in a position to identify cases in which immediate action by a law enforcement agency is required, the prosecutor shall give due consideration to the recommendations of the Department. If the prosecutor determines to investigate a case notwithstanding a contrary recommendation by the Department, he or she should discuss the matter with the caseworker, his or her supervisor or the local office liaison before initiating the investigation.

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